

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

ANNA GABRIELIAN &
JAMIE LEE HENRY,

Defendant.

Case No. SAG-22-0336

UNDER SEAL

SEALED

GOVERNMENT'S MOTION TO SEAL

The United States of America, by and through undersigned counsel, hereby moves this Honorable Court for an Order sealing the Indictment, and Arrest Warrant, together with this Motion in the above-referenced matter, and in support thereof states:

1. The Affidavit submitted in support of the above-referenced Application contains information regarding an ongoing investigation relative to a criminal conspiracy in violation of 18 U.S.C. § 371 (Conspiracy), 42 U.S.C. § 1320d-6 (Disclosure of Individually Identifiable Health Information).

2. In order to justify sealing the Application, the Government must demonstrate that: (1) there is a compelling Government interest requiring materials to be kept under seal and (2) there is no less restrictive means, such as redaction, available. In re Search Warrants Issued on April 26, 2004, 353 F. Supp. 2d 584 (D. Md. 2004).

3. Disclosure of the Application at this time could seriously jeopardize the investigation in all likelihood by, among other things, causing the potential targets—who are unaware of the federal investigation—to flee or take steps to destroy or conceal evidence, which would adversely affect the outcome of the investigation.

4. The procedures for sealing are set forth in Baltimore Sun Co. v. Goetz, 886 F.2d 60 (4th Cir. 1989). “The judicial officer may explicitly adopt the facts that the government presents to justify the sealing.” Id. at 65. This motion and the Court’s reasons for sealing should also be sealed. See id. Notice of the sealing is required, but the notice requirement is satisfied by the docketing of the order sealing the documents. Id.

WHEREFORE, the Government respectfully requests that the Indictment, Arrest Warrant, together with this motion and the Court’s reasons for sealing, if made express in the Order, be placed under seal until the defendant has been arrested.

Respectfully submitted,

Erek L. Barron
United States Attorney

By: /s/
Aaron S.J. Zelinsky
Assistant United States Attorney